

Preliminary Amendment  
Reply to Advisory Action dated February 1, 2011  
Application No.: 10/576,422  
June 20, 2011

REMARKS

By this amendment, new claim 21 has been added to the application. Currently, claims 1, 11-12 and 14 and 21 are pending in the application.

Claims 1, 11 and 12 were rejected under 35 USC 103(a) as being obvious over Komori et al. (U.S. Patent No. 6,046,937) in view of Yoshino et al. (U.S. Patent Application Publication No. 2002-0083282) and Shibazaki et al. (U.S. Patent Application Publication No. 2001/0014933). Also, claim 14 was rejected under 35 USC 103(a) as being obvious over Komori et al. in view of Shibazaki et al. and further in view of Yoshino et al. These rejections are respectfully traversed in view of the remarks below and new claim 21.

The present invention relates to a readable and writable recording medium, and a data processing apparatus and data processing method for processing data stored in the recording medium (see page 1, lines 8-11 of the specification).

Preliminary Amendment  
Reply to Advisory Action dated February 1, 2011  
Application No.: 10/576,422  
June 20, 2011

When data in any part of the nonvolatile recording area 130 can be written or erased, the update information is updated by the controller 120 and update notification part 140 holds the value. The update information may be held in a part of the nonvolatile recording area 130 (see page 9, paragraph [0014]).

As described, for example, on page 17, when prior to data being read or written, the controller reads the update information in the update notification part. Following this, the data is read or written and then the controller reads the update information in the update notification part again and compares these values to see if they correspond to each other so as to do further processing.

Independent claim 1 recites "update information in said update notification part is updated only immediately before data of said nonvolatile recording area is first updated after initialization processing of said recording medium conducted at a time when the recording medium is inserted into the data processing apparatus".

Also, independent claim 14 recites the steps of "making possible for update information in said update notification part in said nonvolatile recording area to be read from said data

Preliminary Amendment  
Reply to Advisory Action dated February 1, 2011  
Application No.: 10/576,422  
June 20, 2011

processing apparatus and impossible for update information to be written by said data processing apparatus; updating said update information by said controller at the time of writing or erasing of data to said nonvolatile recording area; and determining whether or not data of said nonvolatile recording area in said recording medium has been updated after said data was recorded by determining whether or not update information of a field in the recording area read from said recording medium corresponds to update information in said update notification part read from said recording medium".

These claimed features are not shown or suggested by Komori et al., Yoshino et al., or Shibazaki et al. and any combination of these references would not render these claims obvious. The previous remarks are incorporated herein by reference.

Applicants also respectfully submit that it would not have been obvious to combine the references to update the update information only immediately before data of said nonvolatile recording area is first updated after initialization processing of said recording medium is done.

Preliminary Amendment  
Reply to Advisory Action dated February 1, 2011  
Application No.: 10/576,422  
June 20, 2011

New claim 21 recites that "the controller reads the update information in said update notification part prior to the reading or writing of data and then reads the update information in said update notification part again and compares the values of the update information prior to reading or writing and following reading or writing to determine if the values correspond to each other for further processing". The prior art of record does not compare values of the updated information in the update notification part before and after data reading or writing to determine further processing.

It is therefore respectfully submitted that Komori et al., Yoshino et al. and Shibazaki et al., individually or in any combination, do not teach, disclose or suggest the presently claimed invention and it would not have been obvious to one of ordinary skill in the art to combine these references to render the present claims obvious. None of these references show or suggest the update information aspects of the claimed invention.


Preliminary Amendment  
Reply to Advisory Action dated February 1, 2011  
Application No.: 10/576,422  
June 20, 2011

In view of foregoing claim amendments and remarks, it is respectfully submitted that the application is now in condition for allowance and an action to this effect is respectfully requested.

If there are any questions or concerns regarding the amendments or these remarks, the Examiner is requested to telephone the undersigned at the telephone number listed below.

Respectfully submitted,

Date: June 20, 2011

  
Randolph A. Smith  
Reg. No. 32,548

**SMITH PATENT OFFICE**  
1901 Pennsylvania Ave., N.W.  
Suite 901  
Washington, DC 20006-3433  
Telephone: 202/530-5900  
Facsimile: 202/530-5902  
So062011